

Application No. 10/044,867

REMARKS

This is responsive to the Office Action dated January 6, 2004.

Claims 1-3, 6-12, 15-22, 25-31, 34-40, and 43-46 were rejected under 35 USC 103(a) as being unpatentable over Hu in view of Paul. Hu obtains its mechanical input from the rocker arm 130, each counter-clockwise oscillatory stroke of the rocker arm causing an upward reciprocatory stroke of the master piston 60. See col. 3, line 66 to col. 4, line 6. The device of Hu relies on an external mechanical input for operation. Likewise, the device of Paul is expressly a cam operated system. The device of Paul is interposed between the cam and either the valve or the rocker arm. In both cases, the cam develops the opening stroke of the respective valve. The device of Paul is either hydraulically locked in its extended disposition and thereby imparts the full actuation stroke of the cam either directly or indirectly to the engine valve or it is locked at some lesser position and imparts a portion of the cam stroke to the valve. Paul relies on the incompressibility of the liquid filling the device to effect the locking of the device. Paul would be inoperable without the cam. Paul is a lift modifier. Like Hu, the device of Paul relies on an external mechanical input for operation.

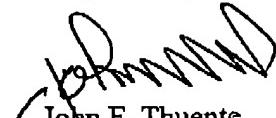
The present invention expressly does not rely on an external mechanical input for operation. The piston of the present actuator alone generates the stroke that is imparted to the valve. No other stroking apparatus is involved. The present invention is a lift generator. The independent claims of the application have been amended to better reflect this distinction relative to both Hu and Paul. There is no structure, teaching or suggestion in either Hu or Paul for a device that does not rely on an external mechanical input for operation. Accordingly, it is believed that those claims and their depending claims define over Hu in view of Paul and the rejection is respectfully requested to be withdrawn.

Claims 1-3, 5-13, 15-22, 24-32, 34-41 and 43-46 are pending. By this Amendment, claims 1, 10, 19 and 38 are amended.

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In view of the foregoing, it is believed that the present application is now in condition for allowance. Notice to that effect is respectfully requested. The examiner is invited to call the undersigned if, in the examiner's view, such communication would serve to advance the prosecution of the present application.

Respectfully submitted,



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